

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 6378 OF 2005

Mr. T. Raghavan & Anr ...Applicants

Versus

Smt. Jayashri Maruti Galande & Anr ...Respondents

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Mr. M.H. Solkar, Advocate for Applicants.

Mr. S.R.Shinde, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 7TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants have prayed for quashing of process issued against them in Criminal Case No. 70 of 2005 which is pending in the Court of learned J.M.F.C. at Pimpri, Pune. In the said case, process has been issued against the applicants under Sections of 403, 404, 406, 504, 420, 506 r.w. 34 of I.P.C.

3. For the reasons recorded in the decision of this Court in the case of **V.K. Jain & Ors. Vs. Pratap Vs. Padode and Anr**, reported in 2005(3) Mh.L.J. 778, in my opinion, the applicants have an

efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision would be preferred within a period of four weeks from today. I am informed that the date before the trial court is on 15.10.2005. In view of this statement, the trial Court shall not proceed with the trial on 15.10.2005 and for a period of three weeks thereafter.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Application is disposed of.

7. Office to issue an authenticated copy of this order to the parties.
